

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL DOCKET NO. 5:05cr5-V

UNITED STATES OF AMERICA)
)
)
vs.)
)
)
JOSHUA HURLEY - 2)
BYRON KEITH MARTIN - 3)
TODD MONROE ELLER - 4)
DARREN JAY TAYLOR - 5)
MICHAEL ANDREW FLOWERS - 6)
RYAN WAGONER - 7)
COLLIN BEACH - 9)
)
_____)

O R D E R

THIS MATTER is before the Court on its own motion to continue the captioned criminal matter from the 11 July 2005 term in the Statesville Division.

The Court finds that the Defendants' cases are "joined for trial with a co-defendant as to whom the time for trial has not run and no motion for severance has been granted," **18 U.S.C. § 3161(h)(7)**, and that failure to continue this matter would result in a miscarriage of justice. **18 U.S.C. § 3161(h)(8)(B)(i)**. The Court further finds that the ends of justice served by taking such action outweigh the best interest of the public and the Defendants to a speedy trial.

IT IS, THEREFORE, ORDERED that this case is hereby continued from the July 2005 term in the Statesville Division to the 12 September 2005 term in the Statesville Division.

Signed: June 22, 2005



Richard L. Voorhees
United States District Judge

